



2873
PATENT
450100-03330

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

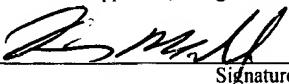
Applicant(s) : Hiroichi ISHIKAWA
Serial No. : 09/897,571
For : OPTICAL MULTILAYER STRUCTURE, OPTICAL SWITCHING DEVICE, AND IMAGE DISPLAY
Filed : July 2, 2001
Examiner : Timothy J. Thompson
Art Unit : 2873

745 Fifth Avenue
New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 1, 2004.

Dennis M. Smid, Reg. No. 34,930

Name of Applicant, Assignee or Registered Representative


Signature

November 1, 2004

Date of Signature

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action, which issued in this application on September 30, 2004, requiring an election of species among those species readable on Figures 1, 25, 28, 40 and 44, respectively.

It is submitted that claims 1-82 are readable on the above-identified drawing figures as follows:

Species I, Fig. 1, on which Claims 1-26 read;

Species II, Fig. 25, on which Claims 40-52, 55, 56 and 58 read;

Species III, Fig. 28, on which Claims 27-39, 53, 54 and 57 read;

Species IV, Fig. 40, on which Claims 59-70, 79 and 81 read; and

Species V, Fig. 44, on which Claims 71-78, 80 and 82 read.

Applicant elects, **without traverse**, Species I corresponding to Fig. 1, including claims 1-26, for further prosecution in the present application.

Applicant reserves the right to file one or more divisional applications, if necessary, to proceed with the examination of the non-elected claims.

An early examination on the merits of the claims of this application is respectfully solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

By:


Dennis M. Smid
Reg. No. 34,930
(212) 588-0800